

**BEFORE THE
PHYSICIAN ASSISTANT BOARD
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation)
Against:)

Oscar Galindo, P.A.)

Case No. 950-2020-002687

Physician Assistant)
License No. PA 19847)

Respondent)
_____)

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted as the Decision and Order of the Physician Assistant Board, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on March 10, 2023.

IT IS SO ORDERED February 9, 2023

PHYSICIAN ASSISTANT BOARD

By: _____



Juan Armenta, President

1 ROB BONTA
Attorney General of California
2 KIM KASRELIOVICH
Supervising Deputy Attorney General
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9 **BEFORE THE**
PHYSICIAN ASSISTANT BOARD
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12
13 In the Matter of the Accusation Against:

Case No. 950-2020-002687

14 **OSCAR GALINDO, P.A.**
9309 Muroc Street
15 Bellflower, CA 90706

OAH No. 2022030875

16 Physician Assistant License No. PA 19847

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

17 Respondent.
18
19

20 In the interest of a prompt and speedy settlement of this matter, consistent with the public
21 interest and the responsibility of the Physician Assistant Board of the Department of Consumer
22 Affairs, the parties hereby agree to the following Stipulated Settlement and Disciplinary Order
23 which will be submitted to the Board for approval and adoption as the final disposition of the
24 Accusation.

25 **PARTIES**

26 1. Rozana Khan (Complainant) is the Executive Officer of the Physician Assistant
27 Board (Board). She brought this action solely in her official capacity and is represented in this
28

1 matter by Rob Bonta, Attorney General of the State of California, by Artin DerOhanian, Deputy
2 Attorney General.

3 2. Respondent Oscar Galindo, P.A. (Respondent) is represented in this proceeding by
4 attorney Levik Yarian, Esq., whose address is: 500 East Olive Ave., Suite 720, Burbank, CA
5 91501.

6 3. On or about August 5, 2008, the Board issued Physician Assistant No. PA 19847 to
7 Oscar Galindo, P.A. (Respondent). The Physician Assistant License was in full force and effect
8 at all times relevant to the charges brought in Accusation No. 950-2020-002687, and will expire
9 on March 31, 2024, unless renewed.

10 **JURISDICTION**

11 4. Accusation No. 950-2020-002687 was filed before the Board, and is currently
12 pending against Respondent. The Accusation and all other statutorily required documents were
13 properly served on Respondent on February 8, 2022. Respondent timely filed his Notice of
14 Defense contesting the Accusation.

15 5. A copy of Accusation No. 950-2020-002687 is attached as Exhibit A and
16 incorporated herein by reference.

17 **ADVISEMENT AND WAIVERS**

18 6. Respondent has carefully read, fully discussed with counsel, and understands the
19 charges and allegations in Accusation No. 950-2020-002687. Respondent has also carefully read,
20 fully discussed with counsel, and understands the effects of this Stipulated Settlement and
21 Disciplinary Order.

22 7. Respondent is fully aware of his legal rights in this matter, including the right to a
23 hearing on the charges and allegations in the Accusation; the right to confront and cross-examine
24 the witnesses against him; the right to present evidence and to testify on his own behalf; the right
25 to the issuance of subpoenas to compel the attendance of witnesses and the production of
26 documents; the right to reconsideration and court review of an adverse decision; and all other
27 rights accorded by the California Administrative Procedure Act and other applicable laws.

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8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

9. Respondent admits the truth of each and every charge and allegation in Accusation No. 950-2020-002687.

10. Respondent agrees that his Physician Assistant License is subject to discipline and he agrees to be bound by the Board's probationary terms as set forth in the Disciplinary Order below.

CONTINGENCY

11. This stipulation shall be subject to approval by the Physician Assistant Board. Respondent understands and agrees that counsel for Complainant and the staff of the Physician Assistant Board may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent or his counsel. By signing the stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

12. Respondent agrees that if an accusation and/or petition to revoke probation is filed against him before the Board, all of the charges and allegations contained in Accusation No. 950-2020-002687 shall be deemed true, correct and fully admitted by Respondent for purposes of any such proceeding or any other licensing proceeding involving Respondent in the State of California.

13. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile signatures thereto, shall have the same force and effect as the originals.

14. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement.

1 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,
2 negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary
3 Order may not be altered, amended, modified, supplemented, or otherwise changed except by a
4 writing executed by an authorized representative of each of the parties.

5 15. In consideration of the foregoing admissions and stipulations, the parties agree that
6 the Board may, without further notice or formal proceeding, issue and enter the following
7 Disciplinary Order:

8 **DISCIPLINARY ORDER**

9 IT IS HEREBY ORDERED that Physician Assistant license number PA 19847 issued to
10 Respondent Oscar Galindo, P.A. is revoked. However the revocation is stayed and Respondent is
11 placed on probation for five (5) years upon the following terms and conditions:

12 1. **ETHICS COURSE.** Within 60 days of the effective date of this decision, Respondent
13 shall submit to the Board or its designee for its prior approval a course in ethics. The course shall
14 be limited to classroom, conference, or seminar settings. Respondent shall successfully complete
15 the course within the first year of probation.

16 Respondent shall pay the cost of the course.

17 Respondent shall submit a certification of successful completion to the Board or its
18 designee within 15 days after completing the course.

19 2. **PSYCHOLOGICAL EVALUATION/TREATMENT.** Within 60 days of the effective
20 date of this decision, and on a periodic basis thereafter as may be required by the Board or its
21 designee, Respondent shall undergo a psychological evaluation by a Board appointed
22 psychological evaluator who shall furnish a psychological report and recommendations to the
23 Board or its designee.

24 Following the evaluation, Respondent shall comply with all restrictions or conditions
25 recommended by the evaluating physician within 15 calendar days after notification by the Board
26 or its designee.

27 Respondent may, based on the evaluator's report and recommendations, be required by the
28 Board or its designee to undergo psychological treatment. Upon notification, Respondent shall

1 within 30 days submit for prior approval the name and qualifications of a psychological
2 practitioner of Respondent's choice. Upon approval of the treating psychological practitioner,
3 Respondent shall undergo and continue psychological treatment until further notice from the
4 Board or its designee. Respondent shall have the treating psychological practitioner submit
5 quarterly status reports to the Board or its designee indicating whether the Respondent is capable
6 of practicing medicine safely.

7 Respondent shall pay the cost of all psychological evaluations and treatment.

8 If the evaluator or treating practitioner determines that the Respondent is a danger to the
9 public, upon notification, Respondent shall immediately cease practicing as a physician assistant
10 until notified in writing by the Board or its designee that Respondent may resume practice.

11 3. ON-SITE SUPERVISION. The supervising physician shall be on site at least 50% of
12 the time Respondent is practicing.

13 4. APPROVAL OF SUPERVISING PHYSICIAN. Within 30 days of the effective date
14 of this decision, Respondent shall submit to the Board or its designee for its prior approval the
15 name and license number of the supervising physician and a practice plan detailing the nature and
16 frequency of supervision to be provided. Respondent shall not practice until the supervising
17 physician and practice plan are approved by the Board or its designee.

18 Respondent shall have the supervising physician submit quarterly reports to the Board or its
19 designee.

20 If the supervising physician resigns or is no longer available, Respondent shall, within 15
21 days, submit the name and license number of a new supervising physician for approval.

22 Respondent shall not practice until a new supervising physician has been approved by the Board
23 or its designee.

24 5. NOTIFICATION OF EMPLOYER AND SUPERVISING PHYSICIAN. Respondent
25 shall notify his/her current and any subsequent employer and supervising physician(s) of the
26 discipline and provide a copy of the accusation, decision, and order to each employer and
27 supervising physician(s) during his/her period of probation, before accepting or continuing
28 employment. Respondent shall ensure that each employer informs the Board or its designee, in

1 writing within 30 days, verifying that the employer and supervising physician(s) have received a
2 copy of Accusation, Decision, and Order.

3 This condition shall apply to any change(s) in place of employment.

4 The Respondent shall provide to the Board or its designee the names, physical addresses,
5 mailing addresses, and telephone numbers of all employers, supervising physicians, and work site
6 monitor, and shall inform the Board or its designee in writing of the facility or facilities at which
7 the person practices as a physician assistant.

8 Respondent shall give specific, written consent to the Board or its designee to allow the
9 Board or its designee to communicate with the employer, supervising physician, or work site
10 monitor regarding the licensee's work status, performance, and monitoring.

11 6. OBEY ALL LAWS. Respondent shall obey all federal, state, and local laws, and all
12 rules governing the practice of medicine as a physician assistant in California and remain in full
13 compliance with any court ordered criminal probation, payments, and other orders.

14 7. QUARTERLY REPORTS. Respondent shall submit quarterly declarations under
15 penalty of perjury on forms provided by the Board or its designee, stating whether there has been
16 compliance with all the conditions of probation.

17 8. OTHER PROBATION REQUIREMENTS. Respondent shall comply with the
18 Board's probation unit. Respondent shall, at all times, keep the Board and probation unit
19 informed of Respondent's business and residence addresses. Changes of such addresses shall be
20 immediately communicated in writing to the Board and probation unit. Under no circumstances
21 shall a post office box serve as an address of record, except as allowed by California Code of
22 Regulations 1399.511.

23 Respondent shall appear in person for an initial probation interview with Board or its
24 designee within 90 days of the decision. Respondent shall attend the initial interview at a time and
25 place determined by the Board or its designee.

26 Respondent shall, at all times, maintain a current and renewed physician assistant license.

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Respondent shall also immediately inform probation unit, in writing, of any travel to any areas outside the jurisdiction of California which lasts, or is contemplated to last, more than thirty (30) days.

9. INTERVIEW WITH MEDICAL CONSULTANT. Respondent shall appear in person for interviews with the Board's medical or expert physician assistant consultant upon request at various intervals and with reasonable notice.

10. NON-PRACTICE WHILE ON PROBATION. Respondent shall notify the Board or its designee in writing within 15 calendar days of any periods of non-practice lasting more than 30 calendar days. Non-practice is defined as any period of time exceeding 30 calendar days in which Respondent is not practicing as a physician assistant. Respondent shall not return to practice until the supervising physician is approved by the Board or its designee.

If, during probation, Respondent moves out of the jurisdiction of California to reside or practice elsewhere, including federal facilities, Respondent is required to immediately notify the Board in writing of the date of departure, and the date of return, if any.

Practicing as a physician assistant in another state of the United States or federal jurisdiction while on active probation with the physician assistant licensing authority of that state or jurisdiction shall not be considered non-practice.

All time spent in a clinical training program that has been approved by the Board or its designee, shall not be considered non-practice. Non-practice due to a Board ordered suspension or in compliance with any other condition or probation, shall not be considered a period of non-practice.

Any period of non-practice, as defined in this condition, will not apply to the reduction of the probationary term. Periods of non-practice do not relieve Respondent of the responsibility to comply with the terms and conditions of probation.

It shall be considered a violation of probation if for a total of two years, Respondent fails to practice as a physician assistant. Respondent shall not be considered in violation for non-practice as long as Respondent is residing and practicing as a physician assistant in another state of the United States and is on active probation with the physician assistant licensing authority of that

1 state, in which case the two year period shall begin on the date probation is completed or
2 terminated in that state.

3 11. UNANNOUNCED CLINICAL SITE VISIT. The Board or its designee may make
4 unannounced clinical site visits at any time to ensure that Respondent is complying with all terms
5 and conditions of probation.

6 12. CONDITION FULFILLMENT. A course, evaluation, or treatment completed after
7 the acts that gave rise to the charges in the Accusation but prior to the effective date of the
8 Decision may, in the sole discretion of the Board or its designee, be accepted towards the
9 fulfillment of the condition.

10 13. COMPLETION OF PROBATION. Respondent shall comply with all financial
11 obligations (e.g., cost recovery, probation costs) no later than 60 calendar days prior to the
12 completion of probation. Upon successful completion of probation, Respondent's license will be
13 fully restored.

14 14. VIOLATION OF PROBATION. If Respondent violates probation in any respect, the
15 Board after giving Respondent notice and the opportunity to be heard, may revoke probation and
16 carry out the disciplinary order that was stayed. If an accusation or petition to revoke probation is
17 filed against Respondent during probation, the Board shall have continuing jurisdiction until the
18 matter is final, and the period of probation shall be extended until the matter is final.

19 15. COST RECOVERY. Respondent is hereby ordered to reimburse the Physician
20 Assistant Board the amount of \$11,765.00 for its investigative costs, which will be paid pursuant
21 to a monthly installment plan established by the probation monitor and commencing within 90
22 days from the effective date of this decision. Failure to reimburse the Board costs for its
23 investigation shall constitute a violation of the probation order, unless the Board agrees in writing
24 to payment by an installment plan because of financial hardship. The filing of bankruptcy by the
25 Respondent shall not relieve the Respondent of his/her responsibility to reimburse the Board for
26 its investigative costs.

27 16. PROBATION MONITORING COSTS. Respondent shall pay the costs associated
28 with probation monitoring each and every year of probation, as designated by the Board, which

1 may be adjusted on an annual basis. The costs shall be made payable to the Physician Assistant
2 Board and delivered to the Board no later than January 31 of each calendar year.

3 17. VOLUNTEER LICENSE SURRENDER. Following the effective date of this
4 probation, if Respondent ceases practicing due to retirement, health reasons, or is otherwise
5 unable to satisfy the terms and conditions of probation, Respondent may request, in writing, the
6 voluntary surrender of Respondent's license to the Board. Respondent's written request to
7 surrender his or her license shall include the following: his or her name, license number, case
8 number, address of record, and an explanation of the reason(s) why Respondent seeks to
9 surrender his or her license. The Board reserves the right to evaluate the Respondent's request
10 and to exercise its discretion whether to grant the request or to take any other action deemed
11 appropriate and reasonable under the circumstances. Respondent shall not be relieved of the
12 requirements of his or her probation unless the Board or its designee notifies Respondent in
13 writing that Respondent's request to surrender his or her license has been accepted. Upon formal
14 acceptance of the surrender, Respondent shall, within 15 days, deliver Respondent's wallet and
15 wall certificate to the Board or its designee and shall no longer practice as a physician assistant.
16 Respondent will no longer be subject to the terms and conditions of probation and the surrender
17 of Respondent's license shall be deemed disciplinary action. If Respondent re-applies for a
18 physician assistant license, the application shall be treated as a petition for reinstatement of a
19 revoked license.

20 **ACCEPTANCE**

21 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
22 discussed it with my attorney, Levik Yarian, Esq. I understand the stipulation and the effect it
23 will have on my Physician Assistant. I enter into this Stipulated Settlement and Disciplinary
24 Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order
25 of the Physician Assistant Board.

26
27 DATED: 11/9/22

28 
OSCAR GALINDO, P.A.
Respondent

SEE ATTACHED
NOTARY
CERTIFICATE

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of LOS ANGELES)


On 11/09/2022 before me, H. HALIM, NOTARY PUBLIC
(insert name and title of the officer)

personally appeared OSCAR GALINDO -----,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

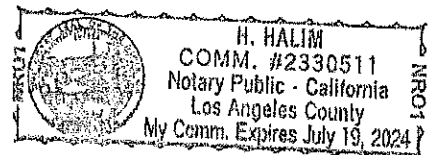
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature



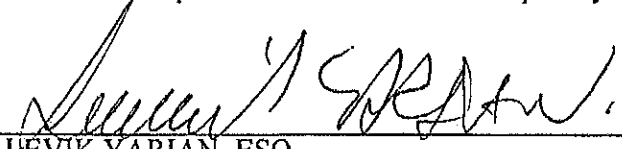
(Seal)



1 I have read and fully discussed with Respondent Oscar Galindo, P.A. the terms and
2 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.

3 I approve its form and content.

4 DATED: 11-09-22


LEVIK YARIAN, ESQ.
Attorney for Respondent


6
7 **ENDORSEMENT**

8 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
9 submitted for consideration by the Physician Assistant Board.

10 DATED: 11/10/2022

Respectfully submitted,

11
12 ROB BONTA
Attorney General of California
13 KIM KASRELIOVICH
Supervising Deputy Attorney General

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15 
ARTIN DEROHANIAN
16 Deputy Attorney General
Attorneys for Complainant

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18
19 LA2021306036
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Exhibit A

Accusation No. 950-2020-002687

1 ROB BONTA
Attorney General of California
2 STEVE DIEHL
Supervising Deputy Attorney General
3 ARTIN DEROHANIAN
Deputy Attorney General
4 State Bar No. 266131
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6 Facsimile: (213) 897-2804
E-mail: Artin.DerOhanian@doj.ca.gov
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9 **BEFORE THE**
PHYSICIAN ASSISTANT BOARD
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 950-2020-002687

13 **OSCAR GALINDO, P.A.**
14 **9309 Muroc St.**
Bellflower, CA 90706

ACCUSATION

15 **Physician Assistant License No. PA 19847**

16 Respondent.
17

18
19
20 **PARTIES**

21
22 1. Rozana Khan (Complainant) brings this Accusation solely in her official capacity as
23 the Executive Officer of the Physician Assistant Board, Department of Consumer Affairs.

24 2. On or about August 5, 2008, the Physician Assistant Board issued Physician Assistant
25 License Number PA 19847 to OSCAR GALINDO, P.A. (Respondent). The Physician Assistant
26 License was in full force and effect at all times relevant to the charges brought herein and will
27 expire on March 31, 2022, unless renewed.

28 ///

1 **JURISDICTION**

2 3. This Accusation is brought before the Physician Assistant Board (Board), Department
3 of Consumer Affairs, under the authority of the following laws. All section references are to the
4 Business and Professions Code (Code) unless otherwise indicated.

5 4. Section 3527 of the Code states, in pertinent part:

6 (a) The board may order the denial of an application for, or the issuance subject
7 to terms and conditions of, or the suspension or revocation of, or the imposition of
8 probationary conditions upon a PA license after a hearing as required in Section 3528
9 for unprofessional conduct that includes, but is not limited to, a violation of this
chapter, a violation of the Medical Practice Act, or a violation of the regulations
adopted by the board or the Medical Board of California.

10 (d) The board may order the licensee to pay the costs of monitoring the
11 probationary conditions imposed on the license.

12 (e) The expiration, cancellation, forfeiture, or suspension of a PA license by
13 operation of law or by order or decision of the board or a court of law, the placement
14 of a license on a retired status, or the voluntary surrender of a license by a licensee
shall not deprive the board of jurisdiction to commence or proceed with any
investigation of, or action or disciplinary proceeding against, the licensee or to render
a decision suspending or revoking the license.

15 5. Section 118, subdivision (b), of the Code provides that the suspension/expiration/
16 surrender/cancellation of a license shall not deprive the Board/Registrar/Director of jurisdiction to
17 proceed with a disciplinary action during the period within which the license may be renewed,
18 restored, reissued or reinstated.

19 **STATUTORY PROVISIONS**

20 6. Section 490 of the Code states:

21 (a) In addition to any other action that a board is permitted to take against a
22 licensee, a board may suspend or revoke a license on the ground that the licensee has
23 been convicted of a crime, if the crime is substantially related to the qualifications,
functions, or duties of the business or profession for which the license was issued.

24 (b) Notwithstanding any other provision of law, a board may exercise any
25 authority to discipline a licensee for conviction of a crime that is independent of the
26 authority granted under subdivision (a) only if the crime is substantially related to the
27 qualifications, functions, or duties of the business or profession for which the
licensee's license was issued.

28 (c) A conviction within the meaning of this section means a plea or verdict of
guilty or a conviction following a plea of nolo contendere. Any action that a board is
permitted to take following the establishment of a conviction may be taken when the
time for appeal has elapsed, or the judgment of conviction has been affirmed on

1 appeal, or when an order granting probation is made suspending the imposition of
2 sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of
3 the Penal Code.

4 (d) The Legislature hereby finds and declares that the application of this section
5 has been made unclear by the holding in *Petropoulos v. Department of Real Estate*
6 (2006) 142 Cal.App.4th 554, and that the holding in that case has placed a significant
7 number of statutes and regulations in question, resulting in potential harm to the
8 consumers of California from licensees who have been convicted of crimes.
9 Therefore, the Legislature finds and declares that this section establishes an
10 independent basis for a board to impose discipline upon a licensee, and that the
11 amendments to this section made by Chapter 33 of the Statutes of 2008 do not
12 constitute a change to, but rather are declaratory of, existing law.

13 7. Section 2234 of the Code states, in pertinent part:

14 The board shall take action against any licensee who is charged with unprofessional
15 conduct. In addition to other provisions of this article, unprofessional conducts includes,
16 but is not limited to, the following:

17 (a) Violating or attempting to violate, directly or indirectly, assisting in or abetting the
18 violation of, or conspiring to violate any provision of this chapter.

19 ...

20 8. Section 2236 of the Code states, in pertinent part:

21 The conviction of any offense substantially related to the qualifications, functions, or
22 duties of a physician and surgeon constitutes unprofessional conduct within the meaning of
23 this chapter [Chapter 5, the Medical Practice Act]. The record of conviction shall be
24 conclusive evidence only of the fact that the conviction occurred.

25 ...

26 (d) A plea or verdict of guilty or a conviction after a plea of nolo contendere is deemed to
27 be a conviction within the meaning of this section and Section 2236.1. The record of
28 conviction shall be conclusive evidence of the fact that the conviction occurred.

9. Section 3531 of the Code states:

A plea or verdict of guilty or a conviction following a plea of nolo contendere
made to a charge of a felony or of any offense which is substantially related to the
qualifications, functions, or duties of the business or profession to which the license
was issued is deemed to be a conviction within the meaning of this chapter. The
board may order the license suspended or revoked, or shall decline to issue a license
when the time for appeal has elapsed, or the judgment of conviction has been
affirmed on appeal or when an order granting probation is made suspending the
imposition of sentence, irrespective of a subsequent order under the provisions of
Section 1203.4 of the Penal Code allowing such person to withdraw his or her plea of
guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or
dismissing the accusation, information, or indictment.

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1 **REGULATORY PROVISIONS**

2 10. California Code of Regulations, title 16, section 1399.521, states, in pertinent part:

3 In addition to the grounds set forth in section 3527, subd. (a), of the code the board
4 may deny, issue, subject to terms and conditions, suspend, revoke or place on probation a
physician assistant for the following causes:

5 (a) Any violation of the State Medical Practice Act which would constitute
6 unprofessional conduct for a physician and surgeon.

7 11. California Code of Regulations, title 16, section 1399.525, states:

8 (a) For the purposes of the denial, suspension or revocation of a license
9 pursuant to division 1.5 (commencing with section 475) of the code, a crime,
10 professional misconduct, or act shall be considered to be substantially related to the
11 qualifications, functions or duties of a person holding a license under the Physician
Assistant Practice Act if to a substantial degree it evidences present or potential
unfitness of a person holding such a license to perform the functions authorized by
the license in a manner consistent with the public health, safety or welfare.

12 (b) In making the substantial relationship determination required under
13 subdivision (a) for a crime, the board shall consider the following criteria:

14 (1) The nature and gravity of the offense;

15 (2) The number of years elapsed since the date of the offense; and,

16 (3) The nature and duties of a physician assistant.

17 (c) For purposes of subdivision (a), substantially related crimes, professional
misconduct, or acts shall include, but are not limited to, the following:

18 (1) Violating or attempting to violate, directly or indirectly, or assisting in
19 or abetting the violation of, or conspiring to violate any provision or term of the
Medical Practice Act.

20 (2) Violating or attempting to violate, directly or indirectly, or assisting in or
21 abetting the violation of, or conspiring to violate any provision or term of the
Physician Assistant Practice Act.

22 ...

23 (6) Conviction for assault and/or battery.

24 **COST RECOVERY**

25 12. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
26 administrative law judge to direct a licensee found to have committed a violation or violations of
27 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
28 enforcement of the case, with failure of the licensee to comply subjecting the license to not being

1 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be
2 included in a stipulated settlement.

3 FACTUAL ALLEGATIONS

4 13. On or about the early morning November 14, 2014, officers were dispatched to a
5 residence occupied by the Respondent and his girlfriend/victim J.S., regarding a domestic
6 violence call. Respondent was involved in an argument with J.S. wherein Respondent pushed J.S.
7 and punched J.S. three (3) times in the face making her fall on her bed. Thereafter, Respondent
8 got on top of J.S., placed both hands around her neck and started to apply strong pressure. While
9 J.S. was attempting to remove his hands, Respondent grabbed a hard stone object and pressed it
10 firmly onto her face. J.S. told officers "I thought he was going to kill me by smashing the rock
11 into my head. I was so scared, I just want to see my children." J.S. eventually got herself off the
12 bed, exited the front door and ran down the street to a random house, and asked residents to call
13 police. As a result of this incident, on or about August 6, 2020, in the criminal proceeding entitled
14 *The People of the State of California v. Oscar Galindo* (Super. Ct. Los Angeles County, Case No.
15 9BL08691), Respondent was convicted of violating Penal Code section 273.5(a), (domestic
16 violence - corporal injury to spouse or cohabitant). Respondent was placed on probation for a
17 term of three (3) years on certain terms and conditions.

18 FIRST CAUSE FOR DISCIPLINE

19 (Conviction)

20 14. Respondent is subject to disciplinary action under Code sections 3527, 3531, 2234,
21 and 2236, and California Code of Regulations, title 16, sections 1399.521 and 1399.525, in that
22 Respondent was convicted of crimes substantially related to the qualifications, functions, and/or
23 duties of a physician assistant. Complainant re-alleges paragraph 13 as if fully set forth herein.

24 DISCIPLINE CONSIDERATIONS

25 15. To determine the degree of discipline, if any, to be imposed on Respondent,
26 Complainant alleges that on or about July 25, 2017, in a prior action, the Physician Assistant
27 Board issued Citation Number 05-17 (Case No. 950-2016-001021) based on a criminal
28 misdemeanor conviction ordered against Respondent on December 3, 2015, for violation of

1 California Vehicle Code 23152(a), (driving under the influence with a blood alcohol content of
2 .08% or higher). In the Board's citation, Respondent was ordered to pay a fine amount of
3 \$500.00. On or about October 20, 2017, Respondent paid the citation fine. That citation is now
4 final.

5 **PRAYER**

6 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
7 and that following the hearing, the Physician Assistant Board issue a decision:

8 1. Revoking or suspending Physician Assistant License Number PA 19847, issued to
9 OSCAR GALINDO, P.A.;

10 2. Ordering OSCAR GALINDO, P.A. to pay the Physician Assistant Board the
11 reasonable costs of the investigation and enforcement of this case, pursuant to Business and
12 Professions Code section 125.3;

13 3. Ordering OSCAR GALINDO, P.A., if placed on probation, to pay the Physician
14 Assistant Board the costs of probation monitoring; and,

15 4. Taking such other and further action as deemed necessary and proper.

16
17 DATED: February 8, 2022

Rozana Khan

ROZANA KHAN
Executive Officer
Physician Assistant Board
Department of Consumer Affairs
State of California
Complainant

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